

## Message Text

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PAGE 01 STATE 102225

15

ORIGIN ARA-20

INFO OCT-01 EUR-25 ISO-00 EB-11 L-03 AID-20 IGA-02 PM-07

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DRAFTED BY ARA/CCA:MJHOFFENBERG:YT

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ARA/LA/CAR:TMACKLIN

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L/ARA:DGANTZ

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R 161856Z MAY 74

FM SECSTATE WASHDC

TO AMEMBASSY PORT OF SPAIN

INFO AMEMBASSY BRIDGETOWN

AMEMBASSY GEORGETOWN

AMEMBASSY KINGSTON

AMEMBASSY LONDON

AMCONSUL PARAMARIBO

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E.O. 11652: N/A

TAGS: ETRU, CU, TO, GY, NS

SUBJECT: US SANCTIONS ON SHIPS TRADING WITH CUBA

REF: PORT OF SPAIN 1092

1. UNDER AUTHORITY OF THE RIO TREATY, RESOLUTION I(3) OF NINTH MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS IN 1964 CALLS UPON MEMBER STATES TO SUSPEND ALL THEIR TRADE AND SEA TRANSPORTATION BETWEEN THEIR COUNTRIES AND CUBA EXCEPT THAT NECESSARY FOR HUMANITARIAN REASONS. UNDER AUTHORITY OF THE OAS CHARTER, RESOLUTION III 10 OF THE TWELFTH MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS IN 1967 RECOMMENDS THAT OAS MEMBER STATES DENY BUNKERS AND GOVERNMENT CARGOES TO SHIPS IN THE CUBA TRADE.

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PAGE 02 STATE 102225

2. SECTION 620A(3) OF THE FOREIGN ASSISTANCE ACT OF 1961 AS AMENDED PROVIDES THAT ASSISTANCE UNDER THAT ACT SHALL BE DENIED TO COUNTRIES WHICH FAIL TO TAKE APPROPRIATE STEPS TO PREVENT SHIPS OR AIRCRAFT UNDER THEIR REGISTRY FROM CARRYING ANY GOODS TO OR FROM CUBA. SECTION 103 (D) (3) OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954 AS AMENDED (PL 480) PROHIBITS SALES OF AGRICULTURAL COMMODITIES UNDER TITLE I OF THE ACT TO COUNTRIES WHICH SELL, FURNISH OR PERMIT THEIR SHIPS OR AIRCRAFT TO CARRY ANY EQUIPMENT, MATERIALS OR COMMODITIES TO OR FROM CUBA, EXCEPT THAT WITH RESPECT TO THE SELLING, FURNISHING, OR TRANSPORTING OF MEDICAL SUPPLIES, NON-STRATEGIC RAW MATERIALS FOR AGRICULTURE AND NON-STRATEGIC AGRICULTURAL OR FOOD COMMODITIES, SALES AGREEMENTS MAY BE ENTERED INTO IF THE PRESIDENT FINDS WITH RESPECT TO EACH SUCH COUNTRY THAT SUCH SALE IS IN THE NATIONAL INTEREST, INFORMS THE CONGRESS OF HIS REASONS FOR SUCH FINDING, AND PUBLISHES HIS REASONS AND FINDINGS IN THE FEDERAL REGISTER.

3. DEPARTMENT OF COMMERCE REGULATIONS (15 CFR 371.9 (B) (2)) ISSUED UNDER THE AUTHORITY OF THE EXPORT ADMINISTRATION ACT OF 1969 PROHIBIT THE UNLICENSED BUNKERING OR SERVICING IN UNITED STATES PORTS OF VESSELS OF COMMUNIST COUNTRIES, INCLUDING CUBA, OR VESSELS WHICH HAVE BEEN DENIED ACCESS TO US GOVERNMENT CARGOES BY REASON OF THEIR HAVING BEEN ENGAGED IN THE CUBA TRADE SINCE JANUARY 1, 1963. IN ACCORDANCE WITH THE RECOMMENDATION OF THE TWELFTH MEETING OF CONSULTATION OF FOREIGN MINISTERS OF THE AMERICAN STATES, LICENSES FOR BUNKERS AND SHIPS STORES ARE DENIED TO SHIPS WHICH HAVE CALLED IN CUBA SINCE SEPTEMBER 24, 1967. AN EXECUTIVE DECISION MADE IN 1963 PROVIDES THAT SHIPMENTS OWNED OR FINANCED BY THE UNITED STATES GOVERNMENT MAY NOT BE MADE FROM US PORTS ON A FOREIGN FLAG VESSEL WHICH HAS CALLED IN CUBA SINCE JANUARY 1, 1963. HOWEVER, SUCH VESSELS MAY BE RELIEVED OF THE AFOREMENTIONED PROHIBITION UPON SATISFACTORY ASSURANCES BY THE PERSONS CONTROLLING THAT VESSEL THAT NO SHIPS UNDER THEIR CONTROL WILL, THENCEFORTH, BE EMPLOYED IN THE CUBA TRADE SO LONG AS IT REMAINS THE POLICY OF THE USG TO DISCOURAGE SUCH TRADE.

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PAGE 03 STATE 102225

4. THE RESTRICTIONS LISTED IN PARA 3 ARE OF DIRECT RELEVANCE TO THE SHIPPING FIRM SINCE ITS VESSELS THAT CALL AT CUBA WOULD BE INELIGIBLE TO BUNKER AT US PORTS OR TO CARRY GOVERNMENT OWNED OR FINANCED CARGOES FROM THE US. PARA 2 IS NOT RELEVANT TO GOTT SINCE IT RECEIVES NO AID OR TITLE I ASSISTANCE. RUSH

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
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**Concepts:** LAW, SHIPS, TRADE CONTROLS, EMBARGOES, SANCTIONS, FOREIGN POLICY POSITION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 16 MAY 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GarlanWA  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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